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8 Attorneys for Plaintiff

FILED

JUL 14 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
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13 UNITED STATES OF AMERICA,)	No. CR 05-00282-JW
14 Plaintiff,)	
15 v.)	STIPULATION REGARDING
16 TRAVIS TOOLE,)	EXCLUDABLE TIME AND PROPOSED
17 Defendants.)	ORDER
18)	

19 It is hereby stipulated and agreed between defendant Travis Toole, and defense counsel Jesse
20 Garcia, and the United States as follows:

21 On July 14, 2005, the defendant appeared and defense counsel Jesse Garcia was substituted
22 in the case. A status conference was set for July 25, 2005 at 1:30 p.m. before the Honorable
23 James Ware.

24 In this case, new defense counsel is obtaining discovery from prior defense counsel Carleen
25 Arlidge . The parties stipulate and move the Court to exclude time under the Speedy Trial Act
26 from July 14, 2005, until the next status conference on July 25, 2005, because the parties believe
27 that the ends of justice served by the granting of such a continuance outweigh the best interests of
28 the public and the defendant in a speedy trial, particularly since reasonable time is needed for the

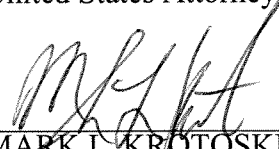
STIPULATION REGARDING EXCLUDABLE TIME AND [PROPOSED] ORDER
CR 05-00282-JW

1 defense to prepare for pretrial and trial matters, pursuant to 18 U.S.C. §§ 3161(h)(8)(A),
2 3161(h)(8)(B)(ii). The parties further stipulate that time may be excluded for reasonable time for
3 defense preparation, since the failure to exclude time would deny counsel for the defendant
4 reasonable time necessary for effective preparation, taking into account the exercise of due
5 diligence, pursuant to 18 U.S.C. §§ 3161(h)(8)(A), 3161(h)(8)(B)(iv).

6 So stipulated.

7 Dated: July 14, 2005

KEVIN V. RYAN
United States Attorney

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11 MARK L. KRATOSKI
12 Assistant United States Attorney

11 So stipulated.

12 Dated: July 14, 2005

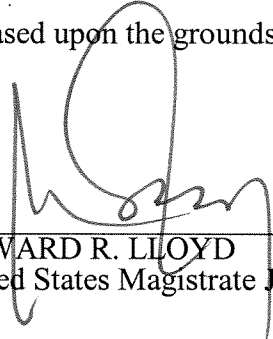
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15 JESSE GARCIA
16 Attorney for Defendant Toole
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ORDER

Based upon the foregoing Stipulation and good cause appearing therefor,

IT IS HEREBY ORDERED that the time between July 14, 2005 and July 25, 2005 shall be excluded from the computation period within which the trial must commence, for the reasons and based upon the statutory provisions set forth by the parties in this Stipulation, including that time is needed for effective defense preparation.. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial based upon the grounds set forth above.

DATED: July 14/2005



HOWARD R. LLOYD
United States Magistrate Judge